

49.402-7 Other damages.

(a) If the *contracting officer* terminates a contract for default or follows a course of action instead of *termination for default* (see [49.402-4](#)), the *contracting officer* promptly *must* assess and demand any liquidated damages to which the Government is entitled under the contract. Under the *contract clause* at [52.211-11](#), these damages are in addition to any excess repurchase costs.

(b) If the Government has suffered any other ascertainable damages, including administrative costs, as a result of the contractor's default, the *contracting officer must*, on the basis of legal advice, take appropriate action as prescribed in [subpart 32.6](#) to assert the Government's demand for the damages.

Parent topic: [49.402 Termination of fixed-price contracts for default.](#)